

Senate File 49 - Introduced

SENATE FILE 49
BY SODDERS

A BILL FOR

1 An Act relating to size, weight, and load limit applicability
2 to authorized emergency vehicles.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.453, Code 2015, is amended to read
2 as follows:

3 **321.453 Exceptions.**

4 The provisions of this chapter governing size, weight,
5 and load and the permit requirements of chapter 321E do not
6 apply to ~~fire apparatus~~ authorized emergency vehicles; road
7 maintenance equipment owned by, under lease to, or used in the
8 performance of a contract with any state or local authority;
9 implements of husbandry when moved or moving upon a highway
10 that is not a portion of the interstate; or equipment used
11 primarily for construction of permanent conservation practices
12 on agricultural land when moved or moving upon a highway that
13 is not a portion of the interstate, so long as the equipment is
14 without payload and the movement does not violate posted weight
15 limitations on bridges, except as provided in sections 321.463,
16 321.471, and 321.474. A vehicle that is carrying an implement
17 of husbandry or equipment used primarily for construction of
18 permanent conservation practices and is exempted from the
19 permit requirements under this section shall be equipped
20 with an amber flashing light visible from the rear. If the
21 amber flashing light is obstructed by the loaded implement or
22 equipment, the loaded implement or equipment shall also be
23 equipped with and display an amber flashing light. The vehicle
24 shall also be equipped with warning flags on that portion of
25 the vehicle which protrudes into oncoming traffic, and shall
26 only operate from thirty minutes prior to sunrise to thirty
27 minutes following sunset.

28 Sec. 2. Section 321.457, subsection 3, Code 2015, is amended
29 to read as follows:

30 3. Fire fighting apparatus and authorized emergency
31 vehicles operated during daylight hours when transporting
32 poles, pipe, machinery, or other objects of a structural
33 nature which cannot be readily disassembled when required for
34 emergency repair of public service facilities or properties are
35 not subject to the limitations on overall length of vehicles

1 and combinations of vehicles imposed under this section.
2 However, for operation during nighttime hours, these vehicles
3 and the load being transported shall be equipped with a
4 sufficient number of clearance lamps on both sides and marker
5 lamps at the extreme ends of the projecting load to clearly
6 mark the dimensions of the load. A member of the state patrol
7 shall also be notified prior to the operation of the vehicle.

8 Sec. 3. Section 321.471, subsection 1, paragraph a, Code
9 2015, is amended to read as follows:

10 a. Local authorities with respect to a highway under their
11 jurisdiction may by ordinance or resolution prohibit the
12 operation of vehicles upon the highway or impose restrictions
13 as to the weight of vehicles to be operated upon the highway
14 for a total period of not to exceed ninety days in any one
15 calendar year, whenever the highway by reason of deterioration,
16 rain, snow, or other climatic conditions will be seriously
17 damaged or destroyed unless the use of vehicles on the
18 highway is prohibited or the permissible weights reduced.
19 The ordinance or resolution shall not apply to implements of
20 husbandry as defined in section 321.1, implements of husbandry
21 loaded on hauling units for transporting the implements to
22 locations for repair, authorized emergency vehicles, or fire
23 apparatus and road maintenance equipment owned by, under lease
24 to, or used in the performance of a contract with a state or
25 local authority.

26 Sec. 4. Section 321.471, subsection 2, paragraph a, Code
27 2015, is amended to read as follows:

28 a. Upon a finding that a bridge or culvert does not
29 meet established standards set forth by state and federal
30 authorities, local authorities may by ordinance or resolution
31 impose limitations for an indefinite period of time on
32 the weight of vehicles upon bridges or culverts located on
33 highways under their sole jurisdiction. The limitations shall
34 be effective when signs giving notice of the limitations
35 are erected. The ordinance or resolution shall not apply

1 to implements of husbandry loaded on hauling units for
2 transporting the implements to locations for purposes of
3 repair, authorized emergency vehicles, or to fire apparatus or
4 road maintenance equipment owned by, under lease to, or used in
5 the performance of a contract with a state or local authority.

6 Sec. 5. Section 321.474, subsection 1, Code 2015, is amended
7 to read as follows:

8 1. The department shall have authority, as granted to
9 local authorities, to determine by resolution and to impose
10 restrictions as to the weight of vehicles, except implements of
11 husbandry as defined in section 321.1, implements of husbandry
12 loaded on hauling units for transporting the implements to
13 locations for repair, authorized emergency vehicles, and fire
14 apparatus and road maintenance equipment owned by, under
15 lease to, or used in the performance of a contract with a
16 state or local authority, operated upon any highway under
17 the jurisdiction of the department for a definite period of
18 time not to exceed twelve months. The restrictions shall be
19 effective when signs giving notice of the restrictions and
20 the expiration date of the restrictions are erected upon the
21 affected highway or portion of highway.

22 Sec. 6. Section 321.474, subsection 2, Code 2015, is amended
23 to read as follows:

24 2. Upon a finding that a bridge or culvert does not
25 meet established standards set forth by state and federal
26 authorities, the department may impose, by resolution,
27 restrictions for an indefinite period of time on the weight of
28 vehicles operated upon bridges or culverts located on highways
29 under its jurisdiction. The restrictions shall be effective
30 when signs giving notice of the restrictions are erected. The
31 restrictions shall not apply to implements of husbandry loaded
32 on hauling units for transporting the implements to locations
33 for purposes of repair, to authorized emergency vehicles, or to
34 fire apparatus or road maintenance equipment owned by, under
35 lease to, or used in the performance of a contract with a state

1 or local authority.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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Current law provides that fire apparatus are not subject

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to certain motor vehicle size, weight, and load limit

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requirements, and the permit requirements of Code chapter 321E.

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Current law also provides that fire apparatus are not subject

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to local ordinances or departmental regulations restricting

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vehicle weight.

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The bill broadens these exceptions to include all authorized

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emergency vehicles. Authorized emergency vehicles include fire

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department vehicles, police vehicles, ambulances, emergency

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vehicles owned by the government, and privately owned vehicles

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authorized by the director of transportation under Code section

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321.451.